

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**LARRY STEPNEY-BEY,**

Plaintiff,

V.

**WELLS FARGO BANK, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
OPTION ONE MORTGAGE LOAN  
TRUST 2007-FXD2, ASSET-BACKED  
CERTIFICATES, SERIES 2007-FXD2,  
et al.,**

Defendants.

*(continued)*

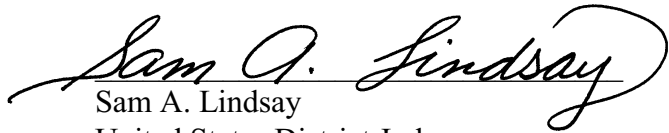
Civil Action No. 3:14-CV-3298-L-BF

## ORDER

This case was referred to Magistrate Judge Paul D. Stickney, who entered Findings, Conclusions, and Recommendation of the United States Magistrate Judge on May 26, 2015, recommending that the court grant Defendants Wells Fargo Bank, National Association, as Trustee for Option One Mortgage Loan Trust 2007-FXD2, Asset-Backed Certificates, Series 2007-FXD2's ("Wells Fargo") and Ocwen Loan Servicing, LLC's ("Ocwen") joint motion for summary judgment and dismiss Plaintiff's claims against these defendants; and the Findings, Conclusion, and Recommendation of the United States Magistrate Judge on May 26, 2015, recommending that the court *sua sponte* dismiss without prejudice all of Plaintiff's claims against Defendants Mackie Wolf Zientz & Mann P.C., Carl Niendorff, L. Keller Mackie, Michael W. Zientz, Wes Webb, Ron Bedford, Tracey Midkriff, Kristen Wall, Donna Stockman, David Stockman, Kendra Wiley, Lori Liane Long, and Israel Saucedo ("Unserved Defendants") for failure to effect timely service on these defendants. No objections have been filed.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court **determines** that the magistrate judge's findings and conclusions are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Defendants' Motion for Summary Judgment (Doc. 9), filed March 11, 2015, and **dismisses with prejudice** Plaintiff's claims against Wells Fargo and Ocwen. Additionally, pursuant to Federal Rule of Civil Procedure 4(m), the court *sua sponte* **dismisses without prejudice** Plaintiff's claims against the Unserved Defendants for his failure to effect timely service on these Defendants, even though he was given an opportunity to do so or show cause why he could not effect service in accordance with the magistrate judge's order. In light of these rulings, there are no outstanding claims in this action. Accordingly, the court will issue judgment by separate document pursuant to Federal Rule of Civil Procedure Rule 58(a).

**It is so ordered** this 25th day of June, 2015.

  
Sam A. Lindsay  
United States District Judge